

Remarks

Claims 1 to 7 are pending. Claims 8-38 are withdrawn.

Claim 1 has been amended to recite the bracket being connected to the rotating disk “such that the lower end of the bracket is between the rotating disk and the one of the pair of adjacent disk blades”. This amendment has a basis in Figure 3 which shows the scraper blade 73 mounted to the lower end of the bracket 72 such that the lower end of the bracket 72 is between the disk blade 34 and the scraper blade 73.

Claims 1-7 were rejected under 35 USC §102(b) as being anticipated by U.S. Patent No. 523,508 to Bauer *et al.* (“Bauer”). Claims 1-7 were also rejected under 35 USC §103(a) as being unpatentable over U.S. Patent No. 3,833,067 to Peterson, Jr., *et al.* (“Peterson”) in view of Bauer. These rejections are traversed to the extent they could be applied to the amended claims.

First, looking at Bauer, it can be seen that the supplementary disk *e* is mounted to the lower end of the shank *c* such that the disk *e* is between main disk and the shank *c*. In contrast, amended claim 1 recites the bracket being between the rotating disk and the disk blade. The configuration of amended claim 1 is advantageous as it prevent the buildup of dirt between the lower end of the bracket and the rotating disk. The device of Bauer will lead to dirt buildup between supplementary disk *e* and the shank *c*.

Second, turning to Peterson, it is stated at column 4, lines 8-11 that “[e]ach blade 68 is mounted on its supporting arm 50 for limited rotation about the axis of the lower cylindrical end portion of the arm 50” (Underlining added.) In this regard, attention is directed to M.P.E.P. § 2143.01 which notes that “if the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious” (citing *In re Ratti*, 270

F.2d 810, 123 USPQ 349, CCPA 1959). In the present case, Peterson teaches a blade 68 mounted on its supporting arm 50 for limited rotation while Bauer teaches at lines 50-53 that the supplementary disks "rotate". Thus, it is believed that a modification of Peterson with the teachings of Bauer would change the principle of operation of Peterson and therefore the teachings of Bauer and Peterson are not sufficient to render the amended claims *prima facie* obvious.

Conclusion

It is submitted that amended claim 1 (and claims 2-7 that depend thereon) are in condition for allowance. Favorable reconsideration of the application is respectfully requested.

No fees are believed to be due. If any fees are needed, please charge them to deposit account 17-0055.

Respectfully submitted,

Troy L. Cooper *et al.*

Dated: May 2, 2005

By: _____



Richard T. Roche
Registration No. 38,599
Quarles and Brady LLP
411 East Wisconsin Ave.
Milwaukee, WI 53202
(414) 277-5805

5732796